

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	Cr. No. 04-10345-MLW
	)	
MOHAMMED ABDUL QAYIUM QURAISHI	)	
MOHAMED ABDUL AZIZ QURAISHI	)	

ORDER

WOLF, D.J.

January 4, 2008

At the January 4, 2008 hearing on the motion of defendants Mohammed Abdul Qayium Quraishi and Mohamed Abdul Aziz Quraishi to hold the Director of the Bureau of Prisons ("BOP"), Harley Lappin, in civil contempt for the failure to obey Judge Nathaniel Gorton's December 28, 2007 Order (the "Motion"), the parties reached substantial but not complete agreement on the issues necessary to resolve their dispute. Therefore, the court decided the Motion. For the reasons described in detail in court, the Motion is meritorious. Therefore, recognizing that "civil contempt sanctions should be tailored so that they do not harm broader public interests," Elkin v. Fauver, 969 F.2d 48, 52 (3rd Cir. 1992), it is hereby ORDERED that:

1. The BOP shall, by January 5, 2007, at 5:00 p.m., escort and transport the defendants, who remain in custody, to Boston, Massachusetts to visit their mother, who is expected to die soon, and to administer her last rights.

2. The BOP shall initially pay all of the costs associated with this escorted visit of the defendants. After the defendants

are returned to prison, they shall, consistent with the December 28, 2007 Order, pay the BOP for the reasonable costs associated with their own travel and the BOP may ask Judge Gorton to order the defendants to pay for the BOP's reasonable costs as well.

3. The defendants shall spend four days in Massachusetts and, if appropriate, may ask this court to extend their stay.

4. If deemed necessary, the defendants may be handcuffed and/or shackled while traveling or being escorted by BOP personnel, except that they shall not be handcuffed or shackled while in the presence of their mother and other family members or friends who may be with her. BOP personnel may, if necessary, remain outside of defendants' mother's room and, as agreed, shall be as respectful as possible, consistent with their duties, of the circumstances which motivated Judge Gorton to enter the December 28, 2007 Order, with the assent of the government.

5. The government shall order the transcript of the January 4, 2008 hearing on an expedited basis.

6. The parties shall, by 12:00 noon on January 7, 2008, report concerning their compliance with this Order.

/s/ Mark L. Wolf  
UNITED STATES DISTRICT JUDGE